

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DALIYL RAA'ID MUHAMMAD,	:	CIVIL ACTION NO. 1:08-CV-1287
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
	:	
	:	
SUPERINTENDENT RANDALL	:	
BRITTON, PA ATTORNEY GENERAL,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 20th day of March, 2009, upon consideration of petitioner's "motion for abeyance" (Doc. 19), wherein he seeks a stay of this matter pursuant to Crews v. Horn, 360 F.3d 146, 151 (3d Cir. 2004), because his petition for writ of habeas corpus is a mixed petition and he presently has pending before the Supreme Court of Pennsylvania the matter of Muhammad v. Commonwealth, No. 24MM 2009, which contains "an issue that urgently needs to be amended to this action," (Doc. 19, at 1; Doc. 20), and respondents having filed no opposition to petitioner's motion, and it appearing that it is appropriate to stay this matter in accordance with the stay and abeyance rule announced in Crews, 360 F.3d at 151, (finding that "[s]taying a habeas petition pending exhaustion of state remedies is a permissible and effective way to avoid barring from federal court a petitioner who timely files a mixed petition") it is hereby ORDERED that:

1. Petitioner's motion (Doc. 19) is GRANTED.

2. This matter is STAYED pending further order of court.
3. Petitioner shall FILE a written status report at sixty day intervals until the conclusion of his state court remedies.
4. The Clerk of Court is directed to ADMINISTRATIVELY CLOSE this matter.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge